GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Endowments Department – Certain allegations against Sri B.Krishna Rao, former Executive Officer, Sri Kodanda Rama Swamy Temple, Sompeta (V&M), Srikakulam District (now retired) - Departmental action for violation of Conduct Rules – Imposing punishment of 2% cut in pension for two years under Rule 9 of A.P.Revised Pension Rules, 1980 – Orders – Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No. 2 **Dated: 02-01-2016**
Read the following :

1. From the Commr, Endt.Dept., Lr.No.E3/47786/2005, dt.26-08-2009.
2. G.O.Ms.No.193, Rev (Vig.IV) Department, dated 09-03-2010.
3. G.O.Rt.No.375, Rev (Vig.IV) Department, dt.09-03-2010 (AOCs).
4. From the Commr, Endt.Dept., Lr.No.E3/47786/05, dt.18-06-2010 & Lr.No.A4/1988/2006, dt.25-05-2010 along with acknowledgment of Sri B.Krishna Rao, EO, dated 20-05-2010.
5. G.O.Rt.No.481, Rev (Vig.IV) Department, dated 23-04-2011.
6. G.O.Rt.No.482, Rev (Vig.IV) Department, dated 23-04-2011.
7. From the Commr, Endt.Dept., Lr.No.E3/47786/05, dt.29-08-2011 along with Lr.No.B1/4116/2011, dt.11-08-2011 of Dy.Commr., Endowments Department, Visakhapatnam (IR).
8. Govt.Memo No.39682/Vig.IV(1)/2009-2, dated 12-09-2011.
9. Representation of Sri B.Krishna Rao, EO, dt.28-03-2012.
10. Govt.Memo No.39682/Vig.IV(1)/2009-3, dt.23-08-2012 (SCN).
11. Representation of Sri B.Krishna Rao, EO, dated NIL.
12. Govt.Letter No.39682/Vig.IV(1)/2009-6, dated 07-11-2015.
13. From the Prl.Secretary, AP.Public Service Commission, Letter No. 939/DC&C/2/2015, dated 21-12-2015.

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O R D E R:

Whereas in the reference 1st read above, the Commissioner, Endowments has submitted report stating that Sri B.Krishna Rao while working as Executive Officer, Sri Kodanda Rama Swamy Temple, Sompeta (V&M), Srikakulam District has committed certain irregularities in the administration of the temple activities and requested the Government to initiate disciplinary action against the above officer under Rule 9 (2) (b) (i) of A.P.Revised Pension Rules, 1980, as the charged officer has retired from service on 31-07-2007 on superannuation.

2. And whereas Government after examining the proposal, has accorded sanction to initiate disciplinary action against Sri B.Krishna Rao, vide reference 2nd read above and framed the following 13 charges against the Charged Officer :

Charge–I : that the CO has not taken any action even to identify the encroachment in the land admeasuring Acs.13-11 Cts., in Sy.No.240/1, 241/2, etc., situated at J.Sompeta and has not taken any action to evict the encroachers in collusion with them.

Charge–II : that the CO has not taken any action so far as to obtain pattedar pass books from the Mandal Revenue Officer, in respect of temple lands and thereby neglected his legitimate duties.

Charge–III : that the CO has failed to collect the arrear and current Makthas due to the temple and thus caused loss to the temple.

(p.t.o)

Charge–IV : that the CO has failed to issue form I notices under section 82 of the Act, 30/87 to the cultivators of the land situated at Sitaramapeta and Jalantar, Sompeta and failed to take further action in terms of G.O.Ms.No.379, Revenue (Endt.) Department, dated 11-03-2003 causing loss to the temple and allowed the sitting tenants to continue over the land.

Charge–V : that the CO has incurred certain expenditures over and above the budget sanction and failed to obtain ratification orders and temple funds are incurred for wasteful expenditure.

Charge–VI : that the CO has failed to collect the amounts from the 49 encroachers towards damages for use and occupation of the lands and kept heavy arrears as due and thereby caused loss to the institution which shows his gross negligence.

Charge–VII : that the CO has appropriated certain amounts directly without depositing same in the bank account and thereby caused loss of interest to the temple and deviated from the standing circular instructions of the Commissioner, Endowments.

Charge–VIII : that the CO has failed to collect the damages from 146 encroachers for use and occupation of the temple lands and caused loss of income to the temple.

Charge–IX : that CO has failed to file eviction petition under section 83 of the Act.

Charge–X : that the CO has failed to submit report to the Commissioner, Endowments and to the Assistant Commissioner, Endowments Department, Srikakulam on 5 points as instructed in Rc.No.L3/3895/88, dated 25-09-2003 regarding re-fixation of the value of land of Acs.1-35 Cts., of the land given to APSRTC (6558 Sq.Yds.,) at Rs.540/- per Sq.Yd., thus neglected his primary duty and thereby caused loss to the temple.

Charge–XI : that the CO has failed to take further follow up action under section 84 of the Act 30/87 in removing the encroachments in pursuance of the order issued by the Deputy Commissioner, Endowments Department, Visakhapatnam in O.A.No. 93/2003, 143/2003, 160/2003, 162/2003 and 165/2006, dated 04-10-2005 and thus allowed the encroachers to enjoy the temple property even after the eviction orders causing much loss to the temple.

Charge–XII : that CO has failed to submit appraisement of paddy crop in the temple land and get them approved by the competent authority as per rules and thus kept the higher authorities in darkness about the genuineness of the demand fixed in a particular year, causing much loss to the temple which is serious irregularity on his part.

Charge–XIII : that the CO has failed to re-deposit the 1/3 interest accrued from the FDRs., pertaining to sale proceeds as per standing circular instructions of the Commissioner, Endowments and utilized the entire interest amount over the FDRs., to routine expenditure of the temple, which is highly irregular and thereby deviated from the instructions of the higher authorities.

3. And whereas the Article of Charges have been served on the Charged Officer on 20-05-2010. But the Charged Officer did not submit any Written Statement of Defence. After examining the matter, Government have ordered for regular inquiry by appointing inquiry officer and the presenting officer, vide references 5th and 6th read above. The Inquiry Officer has submitted the Inquiry Report and found that out of 13 charges, 9 charges are held as proved, 2 charges are held not pressed and 2 charges as dropped. The Inquiry Report has been communicated to the Charged Officer vide reference 8th read above and the Charged Officer has submitted the representation denying all the charges and requested to drop further action against him, vide reference 9th read above.

(Contd..)

4. And whereas after considering the material available on record and after examining the representation submitted by Sri B.Krishna Rao, Government have provisionally decided to impose a punishment of 2% cut in pension for two (2) years against Sri B.Krishna Rao, Executive Officer (now Retd.) under rule 9 of AP.Revised Pension Rules, 1980 and communicated the same to Charged Officer vide reference 10th read above to submit his representation. The Charged Officer has submitted representation vide reference 11th read above re-iterating the contents earlier stated and requested to drop further action against him.

5. Government have examined the matter in detail and decided to confirm the provisional decision to impose a punishment of 2% cut in pension for two (2) years against Sri B.Krishna Rao, Executive Officer (now Retd.) as he has not put forth any new grounds for consideration. The concurrence of the A.P.Public Service Commission has been obtained in the reference 13th read above (copy enclosed).

6. Accordingly, Government hereby order to impose a punishment of 2% (two percent) cut in pension for a period of two (2) years against Sri B.Krishna Rao, Executive Officer (now Retd.) under rule 9 of A.P.Revised Pension Rules, 1980.

7. The Commissioner, Endowments shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.S.V.PRASAD
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri B.Krishna Rao, former Executive Officer, Sri Kodanda Rama Swamy, Sompeta Temple, (Village & Mandal), Srikakulam District (now Retd.),
through the Commissioner, Endowments, A.P, Hyderabad.
The Commissioner, Endowments, A.P, Hyderabad.
(with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to:

The Principal Secretary, A.P. Public Service Commission, Hyderabad.
The Accountant General, AP, Hyderabad.
The Director, Treasuries & Accounts, A.P, Hyderabad.
The Deputy Commissioner, Endowments Department, Srikakulam.
The Revenue (Endt.I) Department.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER